

To: Henning, Alan[Henning.Alan@epa.gov]
Cc: Fullagar, Jill[Fullagar.Jill@epa.gov]
From: Carlin, Jayne
Sent: Thur 9/24/2015 4:29:17 PM
Subject: RE: Waiver

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Hi Alan,

I believe that Jill's history and observations are correct. When I came to the Regional 319 coordinator position, I could not find any records of waivers in any of the states and it appeared that Rick assumed that the state was in compliance rather than doing the actual calculations. I raised this issue to Martha in 2014 and showed her my calculations (as when reviewing the letter of satisfactory progress package) —thus the inclusion of the paragraph regarding the split in 2014. The idea was that Oregon would submit a request in 2015 but they failed to do so—and of course CZARA “hold back” made all of this very complicated.

Jayne

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www.epa.gov/r10earth/tmdl.htm

yosemite.epa.gov/R10/ecocomm.nsf/Watershed+Collaboration/State+Tribal+NPS

From: Henning, Alan
Sent: Thursday, September 24, 2015 8:39 AM
To: Fullagar, Jill; Carlin, Jayne
Subject: RE: Waiver

Thanks Jill. Having this history helps me understand where the State might be coming from based on how we handled this in past. I don't think the EPA's past decisions were wrong. The State of Oregon puts a ton of money and effort into addressing non-point source issues often in the context of salmon habitat improvement / stream restoration. However, I need to better understand the “accounting” system (?) that supported those decisions and what I need to work on with the State to “enhance” what exists.

Again, thanks for your digging.

Alan

From: Fullagar, Jill

Sent: Wednesday, September 23, 2015 3:22 PM

To: Henning, Alan <Henning.Alan@epa.gov>; Carlin, Jayne <Carlin.Jayne@epa.gov>

Subject: RE: Waiver

What a mess. I dug through the files, figured out there were at least 4 different folders with last year's grant stuff in it (don't worry Alan, I'm going to sort them all out for you!) and found the following language, which I do not believe will be too helpful.

In our satisfactory progress letter from June, 2014 is the following:

"The allocation split between incremental and base fund use is not consistent with EPA's guidelines which recommends 80% of incremental spending to restoration projects. The state applied 55%. However, given large reductions in base proportion of 319 funding in recent years and the need to support staff and water quality programs, this adjustment is supported by the EPA."

In May, 2013 we wrote:

"Oregon does direct at least 80% of its 319 incremental funds (going into both the categorical 319 grants and into their PPG) to local implementation project subgrants, and to NPS and TMDL program staff activities which support TMDL and watershed based plan integration and implementation in impaired waters." I don't even think that was how that was supposed to be quantified...

So, it does not appear that there is any kind of history of a waiver or even a request for deviation. It looks like we just rolled with it. Not sure that that helps Alan, other than to confirm you're starting from scratch....sorry. Let me know if you want me to rummage for anything else. I'm happy to. Take care.

jill

Jill Fullagar, Impaired Waters Coordinator

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From: Henning, Alan
Sent: Wednesday, September 23, 2015 2:56 PM
To: Carlin, Jayne; Fullagar, Jill
Subject: RE: Waiver

Thanks Jayne. This is what I was looking for. It would be good to see what happened in previous years as well if that isn't too difficult to find out. This is not that critical though.

From: Carlin, Jayne
Sent: Tuesday, September 22, 2015 3:12 PM
To: Fullagar, Jill <Fullagar.Jill@epa.gov>; Henning, Alan <Henning.Alan@epa.gov>
Subject: RE: Waiver

Yes, it came up this year and last year. See attached. I am not sure whether the PO did the calculations to determine whether the state complied with the split. For previous years, the required split differed though (80% of incremental funds). Jill, do you have the Oregon files for previous years?

Alan, you may want to use the example provided by Cyd yesterday rather than trying to locate one in our Region.

Jayne

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From: Fullagar, Jill
Sent: Tuesday, September 22, 2015 3:03 PM
To: Henning, Alan; Carlin, Jayne
Subject: RE: Waiver

Do you mean is there anything in their files speaking to how they split the money, or justifying something other than a 50-50 split? I don't think there is....Jayne, do you recall it coming up before with OR?

Jill Fullagar, Impaired Waters Coordinator

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From: Henning, Alan

Sent: Tuesday, September 22, 2015 11:43 AM

To: Carlin, Jayne; Fullagar, Jill

Subject: Waiver

Jayne and Jill,

I am working on options for Oregon to consider in addressing the 50%/50% - Program/Project spending of its 319 dollars. Do we have anything in our records that addresses this in previous years?

Alan

Alan Henning, Environmental Scientist

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